

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING
FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY
CORPS OF ENGINEERS

DISTRICT OFFICE: Saint Paul District

FILE NUMBER: MVP-2005-76-CCB

PROJECT MANAGER: Christina Carballal

PROJECT REVIEW/DETERMINATION COMPLETED: In the office? Y ☒ N ☐ Date: 1/5/05

At the project site? Y ☐ N ☐ Date:

PROJECT LOCATION INFORMATION:

State: **Minnesota**

County: **Scott**

Center coordinates of site by latitude & longitude: **44.7697728866/-93.3330534334**

Approximate size of site/property (including uplands) in acres:

Name of waterway or watershed: **Minnesota**

Type of Aquatic Resource ¹ :	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Ft	Unknown
Lake									
River									
Stream									
Mudflat									
Sandflat									
Wetlands		x							
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?				x	
Is or would be used as habitat by other migratory birds that cross state lines?				x	
Is or would be used as habitat for endangered species?				x	
Is used to irrigate crops sold in interstate commerce?				x	

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION:

Preliminary ☐ Or Approved: ☒

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ADDITIONAL INFORMATION SUPPORTING njd (e.g., paragraph 1 site conditions; paragraphs 2-3 rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 site information on waters of the U.S. occurring onsite): **Both basins are entirely located in Savage, Scott County, Minnesota. There is no surface connection: outlet, ditch or storm sewer outlet that connects these to basins 4, 5 and 6 tributaries to the Minnesota River. To the south of both basins water can not flow due to the topography with an increase in elevation. Basin 2 is enclosed within a single contour line. Basin 3 is surrounded by non-hydric soils. Basin 2, that was dugout as a pit in the 50's, is located in a non-hydric soil area.**